

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI**

**CIVIL COMPLAINT**

<b>Richard M. Elbert</b> Plaintiff	<b>Motion For Certification As A Class Action Pursuant to Rule 23C, FRCP</b>
<b>Vs</b>	
<b>City of Kansas City Missouri, et al</b> Defendants	CASE NO. 4:11-CV-00428-HFS

Comes Now, this 25<sup>th</sup> Day of August, 2012, Richard M. Elbert with his **Motion For Certification As A Class Action Pursuant to Rule 23C, FRCP**

- . Plaintiff suggests, in support of this motion, the following:
  1. The class of Kansas City Apollo Country Club members is so numerous that joinder of all members is impracticable.
  2. There are questions of law or fact common to this class
  3. The claims or defenses of the representative parties are typical of the claims or defenses of the class.
  4. The representative parties will fairly and adequately protect the interests of the class.
  5. Prosecuting separate actions by individual class members would create a risk of:
    - a. Inconsistent or varying adjudications
    - b. Adjudications with respect to individual class members would be dispositive of the interests of the other members not parties to the individual adjudications or would substantially impair or impede their ability to protect their interests.
  6. That plaintiff has attached some of the Declarations in Support of Class Action Certification from individuals who would presently like to be considered as plaintiffs in the instant action. Such individuals are:
    1. Anthony Gatlin, 3820 Paseo, KCMO 64109
    2. Brian Whitley, 2820 E. 79<sup>th</sup> Street, KCMO 64132
    3. Tracy Lowery, 11404 Sycamore, KCMO 64134
    4. Larry Douglas, 7248 Paseo, KCMO 64131
    5. Sheldon Parris, 5704 Paseo, KCMO 64110
    6. Michael Parris, 5704 Paseo KCMO 64110
    7. Robert Clark, 3324 Olive, KCMO 64109
    8. Desmond Gidden, 3817 E. 45<sup>th</sup>, KCMO 64130
    9. Rayford Lee, 3332 Benton, KCMO 64128
    10. Ernest Boyd, 5005 South Benton, KCMO
    11. Owen Hawkins, 837 N. 57<sup>th</sup> Street, KCK 66102
    12. Gloria Jones, 9302 Myrtle, KCMO 64132
    13. Michael Lumpkin, 9701 N. Shannon Ave, Suite 232, KCMO 64153
    14. Joel Brown, 1511 E. 59<sup>th</sup>, KCMO 64110
    15. Corey Everett, 4024 E. 56<sup>th</sup>, #3, KCMO 64130
    16. Tamika Talbert, 3622 Woodland, KCMO 64110
    17. Ronjelo Dixon, 2424 Park, KCMO 64127

18. Jim Bithell, 4308 E. 24<sup>th</sup>, KCMo 64127
19. Dell Johnson, 4257 E. 61<sup>st</sup>, KCMo 64130
20. Troy Freeman, 5223 Oakleaf Drive, #14, KCMo 64128
21. Camille Green, 4567 Rockbridge Road, #923, Pine Lake, Georgia 30072
22. Angela Boston, 5602 Highland, Kansas City, KCMo 64130
23. Tony Reed, 10412 E. 42<sup>nd</sup> Street, KCMo 64133
24. Terrance Dunlap, 9100 E. 50<sup>th</sup> Terrace, KCMo 64129
25. Lashonda Thomas, 8727 E. 60<sup>th</sup> Terrace, KCMo 64129
26. Sandra Conrad, 3222 Wabash, KCMo 64109
27. Mark Robinson, 1944 N. 13<sup>th</sup> Street, KCK 66104
28. Devell Williams, 1817 E. 75<sup>th</sup> Terrace, KCMo 64132
29. Reginald Givhan, Jr. 2266 Noelle Place, Powder Springs, Georgia 30127
30. Cynthia Byrd, 19001 E. 31<sup>st</sup> Terrace Court, Independence, Mo 64957
31. Dale Franklin, 5116 E. 40<sup>th</sup>, KCMo 64130
32. Xzavier Vaqua, 3106 E. 10<sup>th</sup> Street, KCMo 64127
33. Fatima Tolefree, 115 W. 99<sup>th</sup> Terrace, Apt 313 KCMo 64114
34. Roland Wilson, 6847 Askew, KCMo 64132
35. Cora Hutton, 3401 Monroe, KCMo 64128
36. Cornealia Mims, 8138 ½ Troost, Apt 10, KCMo 64131
37. Zachary McClinton, 6109 Jackson, KCMo 64130
38. Jalal Abdullah, 6590 W. 91<sup>st</sup> Street, Apt 209, Overland Park, Kansas 66212
39. Kay Jackson, 3253 Lockridge, KCMO 64128
40. Rondy Wright, 6720 Manchester, KCMo 64133
41. Yvette Hampton, 6303 E. 35<sup>th</sup> Terrace, KCMo 64129
42. Anthony Willis, 5223 Harris Avenue, KCMo 64133
43. Carl Wade, 6626 College, KCMo 64132
44. Raneisha Winchester, 6731 E. 119<sup>th</sup>, Grandview, Mo 64030
45. Keith Johnson, 6629 Olive, KCMo 64132\*
46. Joe Jackson, 5428 Woodland, KCMo 64110\*
47. Kay Jackson, 1713 Kansas Avenue, KCMo 64127\*
48. Latoche Coppage, P.O. Box 46172, KCMo 64134
49. Jacquelyn Blankenship, 7713 E. 112<sup>th</sup> Terrace, KCMo 64134
50. Jerald Brown, 7127 Lydia, KCMo 64131
51. Derion Harris 7500 E. 109<sup>th</sup> Terrace, KCMo 64134
52. Phillip Walker, 7134 Walrond, KCMo 64132\*
53. Shirlee Walker, 71347 Walrond, KCMo 64132
54. Tanzy Moore, 8742 Old Sante Fe Road, KCMo 64138
55. Sharmaine Johnson, 3810 E. 72<sup>nd</sup> Terrace, KCMo 64132
56. Robert Quarles III, 520 W. 103<sup>rd</sup> Street, Suite 134, KCMo 64114
57. Frank Ligon, 3940 S. Crysler Avenue, Independence, Mo 64055
58. Elliott Tubbs, 1001 SW Sunrise Drive, Blue Springs, Mo 64015
59. William Woodruff, 5446 Norton, KCMo 64130\*
60. Diana Bruner, 9405 Palmer, Kansas City, Mo 64138
61. Tameka Wagner, 1832 Highland, KCMo 64108\*
62. Carl Wade, 6626 College, KCMo 64132
63. Jimmy Lars, 11404 Oakland, KCMo 64134
64. Jacquelyn Lars, 11404 Oakland, KCMo 64134
65. Kenyon Sowell, 6919 S. Benton, KCMo 64132\*
66. Thomas Turner, 6008 E. 112<sup>th</sup> Terrace, KCMo 64126\*

7. That such individuals are members of Kansas City Apollo Country Club

Wherefore, plaintiff respectfully requests this Honorable Court to issue its order for Certification of the instant action as a Class Action.



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Signature of Plaintiff

**Certificate of Service**

I hereby certify that on 25<sup>th</sup> day of August, 2012, I electronically filed the **Motion For Certification As A Class Action Pursuant to Rule 23C, FRCP** with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following: all CM/ECF participants of record in this case.



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Richard M. Elbert